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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**Docket No. (Optional)
47309-00025USC1

In Re Application Of: P. Van Voris et al.
Application No.: 08/771,467
Filed: December 20, 1996
For: Method and Device for Protection of Wooden Objects Proximate Soil from Pest Invasion

The owner, Battelle Memorial Institute, is the owner of one hundred (100) percent interest in the instant application. The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 5,985,304. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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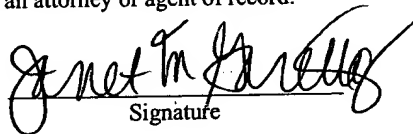
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